

04-0391
(Do Not Write Above This Line)

A RESOLUTION

BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE A LEASE AGREEMENT WITH ENTERPRISE RENT A CAR, FOR FC-7452-02, CAR RENTAL FACILITY AT HARTSFIELD-JACKSON INTERNATIONAL AIRPORT AND FOR OTHER PURPOSES.

ADOPTED BY

MAR 1 5 2004

COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

TRANSPORTATION

3/10/4 Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

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Other

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Date

Chair

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Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

FINAL COUNCIL ACTION

☐ 2nd

☐ 1st & 2nd

☐ 3rd

Readings

☐ Consent

☐ V Vote

☐ RC Vote

CERTIFIED

MAR 1 5 2004

ATLANTA CITY COUNCIL PRESIDENT

Richard D. Flowers

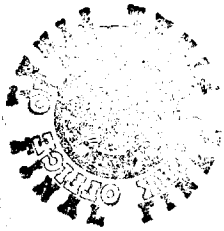
MAR 1 5 2004

Richard D. Flowers
MUNICIPAL CLERK

APPROVED

MAR 2 2004
MAYOR

Richard D. Flowers



CITY COUNCIL
ATLANTA, GEORGIA

04-R-0391

A RESOLUTION
BY TRANSPORTATION COMMITTEE

AS SUBSTITUTED
BY FULL COUNCIL

**A SUBSTITUTE RESOLUTION AUTHORIZING THE
MAYOR OR HER DESIGNEE TO EXECUTE A LEASE
AGREEMENT WITH ENTERPRISE RENT-A-CAR, FOR
FC-7452-02, CAR RENTAL FACILITY AT
HARTSFIELD-JACKSON ATLANTA INTERNATIONAL
AIRPORT AND FOR OTHER PURPOSES.**

WHEREAS, the Chief Procurement Officer of the Department of Procurement did advertise on behalf of the Department of Aviation for FC-7452-02, Car Rental Facility (RFP); and

WHEREAS, qualified firms submitted proposals for the right to operate a car rental facility under a lease agreement; and

WHEREAS, the proposals were received and after review and evaluation of the Proponents' qualifications and an analysis of the technical proposal, the Aviation General Manager and the Chief Procurement Officer of the Department of Procurement have recommended that a lease agreement for FC-7452-02, Car Rental Facility (RFP) be awarded to the top ranked Proponent, Enterprise Rent-A-Car; and

WHEREAS, Enterprise Rent-A-Car shall provide for car rental concessions at Hartsfield-Jackson Atlanta International Airport, providing for counter space, consisting of approximately 1,011 sq. ft. in the terminal building and land area for the service plaza site at the Central Passenger Terminal Complex located on approximately 3.487 acres lot with a 7,665 sq. ft. office building and 2,520 sq. ft. for a car wash and service building for a term of five years not to exceed December 31, 2008; and

WHEREAS, the General Manager of the Department of Aviation and the Chief Procurement Officer of the Department of Procurement have recommended that the lease for FC - 7452-02 or Car Rental Facility, be awarded to the most responsive and responsible proponent, Enterprise Rent-A-Car; and

WHEREAS, Enterprise Rent-A-Car is ready, willing, and able to assume all of the obligations under said Agreement; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or her designee be and hereby is authorized to execute an appropriate lease agreement with Enterprise Rent-A-Car for FC-7452-02 on behalf of the City of Atlanta and the Department of Aviation for a term of five years not to exceed December 31, 2008. For the rights and privileges granted by this Agreement, Enterprise Rent-A-Car will pay fees, rents and charges as follows:

1. Concession Fee: Enterprise Rent-A-Car will pay the higher of a Minimum Annual Guarantee (MAG) or a Percentage Rent. The MAG is equal to eighty-five percent (85%) of Enterprise Rent-A-Car's Percentage Rent for the previous year and is payable at the rate of one-twelfth the annual MAG paid on the first day of each month. For the year 2004, the MAG will be \$921,766.00.

RCS# 5541
3/15/04
3:01 PM

Atlanta City Council

Regular Session

04-R-0391 EXECUTE LEASE AGRMNT W/ENTERPRISE RENT-A
 -CAR/RENTAL FACILITY @HARTSFIELD-JACKSON
 ADOPT SUB AMEND

YEAS: 11
NAYS: 2
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y Smith	N Archibong	N Moore	Y Mitchell
Y Starnes	Y Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Boazman	NV Woolard

RCS# 5540
3/15/04
3:00 PM

Atlanta City Council

Regular Session

04-R-0391 EXECUTE LEASE AGRMNT W/ENTERPRISE RENT-A
 -CAR/RENTAL FACILITY @HARTSFIELD-JACKSON
 AMEND#1

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Boazman	NV Woolard

RCS# 5534
3/15/04
2:24 PM

Atlanta City Council

Regular Session

04-R-0391 EXECUTE LEASE AGRMNT W/ENTERPRISE RENT-A
 -CAR/RENTAL FACILITY @HARTSFIELD-JACKSON
 SUB FWD

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	NV Boazman	NV Woolard

RCS# 5533
3/15/04
2:23 PM

Atlanta City Council

Regular Session

04-R-0391 EXECUTE LEASE AGRMNT W/ENTERPRISE RENT-A
-CAR/RENTAL FACILITY @HARTSFIELD-JACKSON
REFER

YEAS: 3
NAYS: 9
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	N Mitchell
N Starnes	N Fauver	B Martin	N Norwood
N Young	N Shook	N Maddox	N Willis
B Winslow	N Muller	NV Boazman	NV Woolard

COUNCIL FLOOR AMENDMENT

COUNCILMEMBER DERRICK BOAZMAN

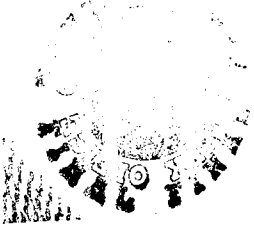
DATE: March 15, 2004

ORDINANCE 04-R-0391

AMEND RESOLUTION BY ADDING A NEW "RESOLVED" CLAUSE WHICH SHALL READ AS FOLLOWS:

BE IT FURTHER RESOLVED THAT nothing in this agreement shall be construed as an obligation of the City of Atlanta to either grant or guarantee that Enterprise Rent-A-Car will be a tenant or occupant of the CONRAC Facility.

WAG
OK



The Percentage Rent is equal to ten percent (10%) of the Gross Receipts. Enterprise Rent-A-Car will submit a report in a form provided by the Department of Aviation of Gross Receipts during the previous month along with a calculation of rent to be paid and a check for any additional rent, defined as the difference between the MAG and the Percentage Rent, owed for the previous month. In the event that the Percentage Rent does not exceed the MAG during any month of the term, then no additional rent shall be due and payable for such month.

2. Counter Area Rent: Enterprise Rent-A-Car shall pay Thirty-Two Dollars and Fifty Cents (\$32.50) per square foot per year for the counter area, payable at the rate of one-twelfth of the annual rent paid on the first day of each month. The counter area is approximately one thousand eleven (1,011) sq. ft. Enterprise shall pay maintenance and operational cost associated with the counter space.
3. Service Plaza Rent: On the first day of each month, Enterprise Rent-A-Car will pay rent equal to one-twelfth of Seven Hundred Thousand – One Dollars and Ninety-Nine Cents (\$700,001.99). Enterprise Rent-A-Car shall pay all costs associated with the Service Plaza Facility.

BE IT FURTHER RESOLVED that the Chief Procurement Officer is hereby directed to prepare an appropriate lease agreement for execution by the Mayor.

BE IT FURTHER RESOLVED that nothing in this agreement shall be construed as an obligation of the City of Atlanta to either grant or guarantee that Enterprise Rent-A-Car will be a tenant or occupant of the CONRAC Facility.

BE IT FINALLY RESOLVED that this agreement shall not become binding upon the City and the City shall incur no liability upon same until such contract has been executed by the Mayor and delivered to the contracting parties.

The Percentage Rent is equal to ten percent (10%) of the Gross Receipts. Enterprise Rent-A-Car will submit a report in a form provided by the Department of Aviation of Gross Receipts during the previous month along with a calculation of rent to be paid and a check for any additional rent, defined as the difference between the MAG and the Percentage Rent, owed for the previous month. In the event that the Percentage Rent does not exceed the MAG during any month of the term, then no additional rent shall be due and payable for such month.

2. Counter Area Rent: Enterprise Rent-A-Car shall pay Thirty-Two Dollars and Fifty Cents (\$32.50) per square foot per year for the counter area, payable at the rate of one-twelfth of the annual rent paid on the first day of each month. The counter area is approximately one thousand eleven (1,011) sq. ft. Enterprise shall pay maintenance and operational cost associated with the counter space.
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BE IT FURTHER RESOLVED that the Chief Procurement Officer is hereby directed to prepare an appropriate lease agreement for execution by the Mayor.

BE IT FINALLY RESOLVED that this agreement shall not become binding upon the City and the City shall incur no liability upon same until such contract has been executed by the Mayor and delivered to the contracting parties.

CITY OF ATLANTA
OFFICE OF THE CLERK

A RESOLUTION

BY TRANSPORTATION COMMITTEE

04-*ℓ*-0391

**A RESOLUTION AUTHORIZING THE MAYOR OR HER
DESIGNEE TO EXECUTE A LEASE AGREEMENT
WITH ENTERPRISE RENT A CAR, FOR FC-7452-02,
CAR RENTAL FACILITY AT HARTSFIELD-JACKSON
ATLANTA INTERNATIONAL AIRPORT AND FOR
OTHER PURPOSES.**

WHEREAS, the Purchasing Agent of the Bureau of Purchasing and Real Estate did advertise on behalf of the Department of Aviation for FC-7452-02, Car Rental Facility (RFP); and

WHEREAS, qualified firms submitted proposals for the right to operate a car rental facility under a lease agreement; and

WHEREAS, the proposals were received and after review and evaluation of the Proponents qualifications and an analysis of the technical proposal, the Aviation General Manager and the Purchasing Agent of the Bureau of Purchasing and Real Estate have recommended that a lease agreement for FC-7452-02, Car Rental Facility (RFP) be awarded to the top ranked Proponent, Enterprise Rent A Car.

WHEREAS, Enterprise Rent A Car shall provide for car rental concessions at Hartsfield-Jackson Atlanta International Airport, providing for counter space, consisting of approximately 1,011 sq. ft. in the terminal building and land area for the service plaza site at the Central Passenger Terminal Complex located on approximately 3.487 acres lot with a 7,665 sq. ft. office building and 2,520 sq. ft. for a car wash and service building for a term of 5 years not to exceed December 31, 2007; and

WHEREAS, the General Manager of the Department of Aviation and Chief Procurement Officer of the Department of Procurement have recommended that the lease for FC - 7452-02 or Car Rental Facility, be awarded to the most responsive and responsible proponent, Enterprise Rent A Car; and

WHEREAS, Enterprise Rent A Car is ready, willing, and able to assume all of the obligations under said Agreement; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or her designee be and hereby is authorized to execute an appropriate lease agreement with Enterprise Rent A Car for FC-7452-02 on behalf of the City of Atlanta and the Department of Aviation.

BE IT FURTHER RESOLVED that the Chief Procurement Officer is hereby directed to prepare an appropriate lease agreement for execution by the Mayor, to be approved by the City Attorney as to form.

BE IT FINALLY RESOLVED that this agreement shall not become binding upon the City and the City shall incur no liability upon same until such contract has been executed by the Mayor and delivered to the contracting parties.

**CONDITION FOR APPROVAL FORM
(TO ACCOMPANY LEGISLATION)**

COMMITTEE: TRANSPORTATION

DATE: 3/10/4

ORDINANCE # _____ RESOLUTION # 04-R-0391

REQUESTED BY: Committee

DIRECTED TO: Aviation Dept

NATURE OF CONDITION FOR APPROVAL:

Provide copy of lease Agreement and Substitute
legislation which includes changes required by
Committee; terms + rate, etc.

WHEN IS THIS INFORMATION DUE, AND TO WHOM?

Prior to ~~4/15~~ 3/15

WILL THIS RESULT IN AN AMENDMENT TO THE LEGISLATION?

YES () NO ()

WILL THIS RESULT IN A SUBSTITUTE TO THE LEGISLATION?

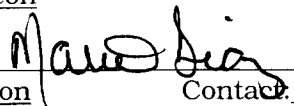
YES () NO ()

HAS THIS INFORMATION BEEN RECEIVED? YES () NO ()

DATE OF RECEIPT: _____

TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office: Greg Pridgeon

General Manager's Signature: 
From: Originating Dept. Aviation Contact: Anita Williams 404-530-6600
Committee of Purview: Trans Committee Deadline: 02/27/04
Committee Meetings: 03/10/04 City Council Meeting: 03/15/04

CAPTION:

**A RESOLUTION AUTHORIZING THE MAYOR OR HER
DESIGNEE TO EXECUTE A LEASE AGREEMENT WITH
ENTERPRISE RENT A CAR, FOR FC-7452-02, CAR RENTAL
FACILITY AT HARTSFIELD-JACKSON ATLANTA
INTERNATIONAL AIRPORT AND FOR OTHER PURPOSES.**

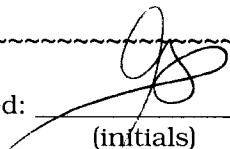
BACKGROUND/DISCUSSION:

This agreement is needed to assure the airport users, the traveling public, airline's and other tenant's employees of uninterrupted car rental services at Hartsfield-Jackson International Airport. The agreement enables Enterprise Rent A Car to operate as an on-airport rental car company and establish an agreement to tie Enterprise Rent A Car to the future Consolidated Car Rental facility and increase rental rates.

FINANCIAL IMPACT: N/A

SOURCE: N/A

Mayor's Staff Only:

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Received by Mayor's Office: 2/24/04 Reviewed:   
(date) (initials) (date)

Submitted to Council: 2/27/04  
(date)

Action by Committee: \_\_\_\_\_ Approved \_\_\_\_\_ Adversed \_\_\_\_\_ Held

\_\_\_\_\_ Amended \_\_\_\_\_ Substitute \_\_\_\_\_ Referred \_\_\_\_\_ Other